

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

RYAN AYREST,

Plaintiff,

v.

NEUTRON HOLDINGS, INC.

d/b/a LIME

Defendant.

)
)
)
)
)
)
)
)
)
)
)

CIVIL ACTION NO. _____

JURY DEMAND

NOTICE OF REMOVAL

Neutron Holdings, Inc. d/b/a Lime (“Defendant”), by and through their undersigned counsel, files this Notice of Removal of Civil Docket No. 22C1460, styled Ryan Ayrest v. Neutron Holdings, Inc. d/b/a Lime, from the Circuit Court of Tennessee for the Twentieth Judicial District at Nashville, to the United States District Court for the Middle District of Tennessee, Nashville Division. Defendant respectfully shows unto the Court as follows:

1. On July 20, 2022, Plaintiff commenced an action against Defendant, in the Circuit Court of Tennessee for the Twentieth Judicial District at Nashville, bearing Civil Docket No. 22C1460. A copy of the filings from the Court of Tennessee for the Twentieth Judicial District at Nashville is attached as **Exhibit 1**.

2. Defendant now removes this civil action pursuant to 28 U.S.C. §§ 1332 and 1441. Under Sections 1332(a)-(a)(1), diversity jurisdiction is present if (1) the amount in controversy exceeds \$75,000.00, exclusive of interests and costs, and (2) there is diversity of citizenship between the Plaintiff and all Defendants. *See* 28 U.S.C. § 1332(a)-(a)(1).

3. In this case, the amount in controversy requirement is satisfied. In his Complaint, Plaintiff seeks damages amounting to \$3,000,000.00. *See Exhibit 1.*

4. The parties are completely diverse. AS alleged in the Complaint, Plaintiff is an adult citizen of the state of Tennessee. *See Exhibit 1.*

5. The Defendant, Neutron Holdings, Inc. d/b/a Lime (hereinafter “LIME”) is a Delaware corporation with its principal place of business at 85 Second Street, Suite 300, San Francisco, CA 94105-3457. A copy of the filing information from the California Secretary of State and the filing information for the Tennessee Secretary of State are attached as collective **Exhibit 2.**

6. Defendant’s Notice of Removal is timely. Under Section 1446(b), removal is timely if the Notice is filed within 30 days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based. *See* 28 U.S.C. § 1446(b). Plaintiff filed his Complaint in the Circuit Court on July 20, 2022. *See Exhibit 1.* Thereafter, a copy of the Plaintiff’s complaint was received by Defendant via personal service on July 26, 2022, thus establishing August 25, 2022 as the removal deadline pursuant to 28 U.S.C. § 1446. *See Exhibit 3.*

7. This Court has original jurisdiction under 28 U.S.C. § 1332 and removal is therefore proper under 28 U.S.C. §§ 1441 and 1446.

8. Defendant will, after filing this Notice of Removal, give notice to all interested parties, including the Circuit Court of Davidson County, Tennessee.

9. Pursuant to 28 U.S.C. § 1447(b), a copy of the entire record from the Circuit Court of Davidson County, Tennessee is attached as **Exhibit 4.**

10. Pursuant to L.R. 3.02 (Middle District of Tennessee), a copy of the Form JS-44 (Civil Cover Sheet) is attached as **Exhibit 5**.

11. Pursuant to Fed. R. Civ. P. 7.1, a copy of the required corporate disclosure is attached as **Exhibit 6**.

Respectfully submitted, this the 23rd day of August, 2022.

ADAMS AND REESE LLP

/s/ Stacia M. Burns

F. Laurens Brock (BPR #17666)

Stacia M. Burns (BPR #038533)

1600 West End Avenue, Suite 1400

Nashville, Tennessee 37203

Telephone: (615) 259-1450

Fascimile: (615) 259-1470

larry.brock@arlaw.com

stacia.burns@arlaw.com

Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent via e-mail and/or first class,
pre-paid postage, U.S. Mail, to:

Joshua D. Moore
MORGAN & MORGAN, P.A.
20 N. Orange Avenue, Suite 1600
Orlando, Florida 32801
(407) 420-1414
(407) 648-9592
joshmoore@forthepeople.com

Attorney for Plaintiff Ryan Ayrest

/s/Stacia M. Burns

Stacia M. Burns